

07/04/03

EPA Region 5 Records Ctr.



262745

----- Forwarded by Mazin Enwiya/R5/USEPA/US on 03/15/2004 02:40 PM -----



Carol Fuller
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07/08/2003 10:03 AM

To: Kurt Neibergall <Kurt.Neibergall@epa.state.il.us>, Maggie Carson
<Maggie.Carson@epa.state.il.us>
cc: Thomas Krueger/R5/USEPA/US@EPA, Fred Nika
<Fred.Nika@epa.state.il.us>, Mark Gurnik
<Mark.Gurnik@epa.state.il.us>, Terry Ayers
<Terry.Ayers@epa.state.il.us>, Mazin Enwiya/R5/USEPA/US@EPA,
Mike Joyce/R5/USEPA/US@EPA
Subject: Info re: Du Page County and Downers voting on the tri-party
agreement

Rick Ginex just called. The County will vote in an hour (today) on;
1. the Tri-party agreement (with the Village and the PRPs)
2. the well ordinance
3. approving the contract with Cleveland (for installing the service
lines), and
4. approving the contract with Meadow (for sealing the wells).

The Village will vote tonight at the Council Meeting. Rick anticipates
that the agreement will go through without any problems. He also said
that Bruce White had a conference call yesterday with the attorneys for
the PRPs, and no one voiced any concerns that would lead him to believe
they won't sign on to the agreement in its present form.

Below is the DuPage County's agenda for today's meeting. Rick will
call us tomorrow re: the voting at both county and village levels.

DuPage County Board and Committee Meeting Agenda

Meeting of the County Board 7 / 8 Tuesday 10:30 a.m. County Board Room

Committee Meetings

Development

(Details are in the attached agenda page - an Adobe Acrobat document.)



DuPage County agenda.pdf ----- Forwarded by Mazin Enwiya/R5/USEPA/US on 03/15/2004 02:40 PM -----



Tom Krueger
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ech.net>

07/08/2003 10:32 AM

To: Bruce_White@k-w.com
cc: Thomas Krueger/R5/USEPA/US@EPA, Mazin
Enwiya/R5/USEPA/US@EPA, Gurnik.Mark@epa.il.state.us,
RCAZEAU@atg.state.il.us, EWALLACE@atg.state.il.us
Subject: Ellsworth settlement documents

Bruce,

The chemicals are believed to have seeped into groundwater after being dumped or spilled.

The lawsuit filed this week in DuPage County Circuit Court seeks financial damages from the businesses in the Ellsworth Industrial Park - \$50,000 for public health and environmental violations, an additional \$10,000 for each day the violations continue, and \$773,000 to cover the Illinois Environmental Protection Agency's investigation.

But it also wants them to provide safe drinking water to neighbors whose wells have been tainted by the solvents trichloroethylene, or TCE, and tetrachloroethylene, or PCE.

The suit, brought by Illinois Attorney General Lisa Madigan and DuPage County State's Attorney Joseph Birkett, names businesses where soil or groundwater concentrations of the two solvents exceed federal safety standards.

"Illinois citizens should be able to get a drink of water from their kitchen faucet without fear that their private wells have been contaminated by toxic chemicals," Birkett said in a statement. "By this suit, we hope to hold accountable those businesses that are responsible for the contamination, and to provide a means for those residents affected to get safe drinking water."

Tests by state regulators of 546 private wells found that 450 contained evidence of TCE and 352 had traces of PCE. Of those wells, 109 had levels of TCE that exceeded federal safety standards of 5 parts per billion, and 83 exceeded the standards for PCE.

"Safe water should be a given, not an option," Madigan said in a statement.

Businesses named in the suit include Precision Extrusion, which bought a plant that used TCE and PCE from about 1970 to 1979; Scot Inc., which occupies a building where TCE and PCE have been used since 1958; and Principal Manufacturing Corp., which operated a facility in the 1970s where employees allegedly dumped TCE on the ground.

Also named were Arrow Gear Co., which has been operating in the park since 1957; Rexnord Inc., which manufactures power transmission components, and William Helwig, who the suit says owns property leased by several manufacturers that use TCE.

This is the second lawsuit seeking damages from industries the U.S. EPA has connected with the groundwater contamination in the Downers Grove area.

In May, Downers Grove resident Jana Bendik filed a \$5 million personal injury lawsuit against Precision Steel Warehouse of Franklin Park and its subsidiary, Precision Brand in Downers Grove. Her suit says the toxic chemical contamination of her residential water supply resulted in her cancer.

Earlier this week, two DuPage County Board committees approved an agreement with the village of Downers Grove and the "potential responsible parties" which would make the industries pay \$3.8 million for building water lines to homes with contaminated wells and closing those wells.

The entire County Board is expected to vote on the measure Tuesday.

Staff writer Katie Foutz contributed to this report.

Attached are the final USEPA settlement documents. I believe that counsel for the participating members of the PRP Group have indicated their willingness to recommend that their clients sign these documents. Given the short time before work must start, I request that Group members return executed versions of these documents to me as soon as possible, and by no later than this Friday, July 11. Thank you for your cooperation. Please contact me if this deadline presents a problem or if there are any remaining issues.

Tom Krueger



Ellsworth.aip.final.wpd ellsworthaocfinal.wpd ----- Forwarded by Mazin Enwiya/R5/USEPA/US on 03/15/2004 02:40 PM



Carol Fuller
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07/08/2003 12:58 PM

To: Dennis McMurray <Dennis.McMurray@epa.state.il.us>, Fred Nika <Fred.Nika@epa.state.il.us>, Gary King <Gary.King@epa.state.il.us>, Jessica Pickens <Jessica.Pickens@epa.state.il.us>, Jim Salch <Jim.Salch@epa.state.il.us>, John Cross <John.Cross@epa.state.il.us>, Joseph Dombrowski <Joseph.Dombrowski@epa.state.il.us>, Kurt Neibergall <Kurt.Neibergall@epa.state.il.us>, Larry Eastep <Larry.Eastep@epa.state.il.us>, Maggie Carson <Maggie.Carson@epa.state.il.us>, Mark Gurnik <Mark.Gurnik@epa.state.il.us>, Neelu Reddy <Neelu.Reddy@epa.state.il.us>, Rick Cobb <Rick.Cobb@epa.state.il.us>, Sherrie Elzinga <Sherrie.Elzinga@epa.state.il.us>, Sue Doubet <Sue.Doubet@epa.state.il.us>, Terry Ayers <Terry.Ayers@epa.state.il.us>, Tom Crause <Tom.Crause@epa.state.il.us>, Tracey Hurley <Tracey.Hurley@epa.state.il.us>, William Ingersoll <William.Ingersoll@epa.state.il.us>

cc: Mazin Enwiya/R5/USEPA/US@EPA, Mike Joyce/R5/USEPA/US@EPA, Thomas Krueger/R5/USEPA/US@EPA, MATTHEW MANKOWSKI/R5/USEPA/US@EPA, Ron Burke <Ron.Burke@epa.state.il.us>, Toni Leigh <Toni.Leigh@epa.state.il.us>, STEVEN FARYAN/R5/USEPA/US@EPA, KRunkle@idph.state.il.us

Subject: Today's Trib article re: Downers Grove

Lake water pact ready for 2 votes
Downers-area wells would be sealed

By H. Gregory Meyer
Tribune staff reporter

July 8, 2003

DuPage County and Downers Grove officials are scheduled to vote Tuesday on an agreement to seal hundreds of wells near the polluted Ellsworth industrial site and connect the affected households to Lake Michigan water.

Under the proposal, the 13 companies that may be the source of chemicals leaching into the wells would pay \$4.275 million to attach about 800 neighborhood houses to Downers Grove's water supply. The largely unincorporated area lies east of Interstate Highway 355.

"These people, they've been wanting this for many years," said Greg Wilcox,

DuPage County's deputy administrator in charge of public works. "I can't tell you how many have come to me and said, 'We've got to make this happen.' They can't live like this."

When the Illinois Environmental Protection Agency sampled about 500 wells there in 2001 and 2002, they detected levels of two solvents, trichloroethylene (TCE) and tetrachloroethylene (PCE), in more than 400. More than 200 tested above federal safe drinking water standards for the two chemicals.

The federal EPA then started negotiating a consent order with the companies that would enforce the agreement to be voted on Tuesday by the County Board and the Village Board. Neither EPA nor the companies' attorneys were available for comment Monday, but Kevin Buoy, operations manager for the DuPage Department of Public Works, said "We are anticipating that to be signed this week, very soon."

As part of the plan, DuPage County would require all residents of the area to seal their wells and tap into the village mains. The village would charge households \$2,000 each to make the water connection.

Both requirements have been a sore point for some area residents.

"One of the issues is that residents have to pay anything at all. We didn't pollute our wells," said Ann Muniz, whose well at her house on Pershing Avenue has tested above federal TCE standards. Others who have installed filtration equipment don't want the added expense of a water hookup.

But if the agreement passes, contractors hired by DuPage County would begin laying pipe and sealing wells this summer, Buoy said, with the hopes of wrapping up in a year.

The DuPage Water Commission, which provides water to municipalities in the county, would lend the village money for the project, which the companies would repay over 20 years.

Neither the agreement on the agenda Tuesday nor the consent order assigns blame for the contamination. But last week, six of the companies were sued by Illinois Atty. Gen. Lisa Madigan and DuPage County State's Atty. Joseph Birkett, alleging they are the source of the contamination. The suit seeks a \$50,000 penalty, \$10,000 "for each day the violations continue" and \$773,000 to reimburse the Illinois EPA for its testing.

The suit will not impede progress toward the federal consent order, said Matt Dunn, chief of environmental enforcement in the attorney general's office.

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----- Forwarded by Mazin Enwiya/R5/USEPA/US on 03/15/2004 02:40 PM -----

Bob Kay

07/09/2003 04:19 PM

To: Mazin Enwiya/R5/USEPA/US@EPA

cc: Williamj Ryan/R5/USEPA/US@EPA

Subject: Ellsworth investigation

Mazin--Bill Ryan and I have been looking into what information is out there regarding the Ellsworth site and have come up with some more concrete ideas about the what and where. bill will be sending you a memo with our ideas about what to do. what i'd like to do is have a meeting next wed,thurs or fri to

discuss the plans and hopefully get the go ahead to pursue them. this will allow us to send letters to the residents, set a date for the measurements, etc., to get the investigation in motion. at the very least, I'd like to set up the meetings we're going to need with mangement/the PRP group/city of downers grove to get their sign on so we can get started.

i'll be at 815-756-9207 (e-mail rtkay@usgs.gov) on thurs and fri., out of touch next monday and tues, and back here wed, thurs, and fri of next week. can you, me, and bill try and meet via phone on thurs or fri of this week, or meet in person next week? again, i'd like to set up whatever the next step needs to be ASAP so we can get going on this and (hopefully) finish field work before the end of the FY.

thanks----- Forwarded by Mazin Enwiya/R5/USEPA/US on 03/15/2004 02:40 PM -----

Thomas Krueger
07/09/2003 04:26 PM
To: Mazin Enwiya/R5/USEPA/US@EPA
cc:
Subject: Ellsworth

Mazin,

Do you have an anticipated start date for the sampling?

Tom

----- Forwarded by Thomas Krueger/R5/USEPA/US on 07/09/03 04:25 PM -----



Bruce White
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07/08/03 11:11 AM
Please respond to Bruce White
To: krueger_tandk, Thomas Krueger
Subject: Ellsworth

Tom

Our current internal efforts are focusing on some internal timing issues.

Would appreciate your letting us know if USEPA has a time certain for undertaking the screening work at Ellsworth.

Bruce

----- Forwarded by Mazin Enwiya/R5/USEPA/US on 03/15/2004 02:40 PM -----

Thomas Krueger
07/10/2003 07:51 AM
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cc: (bcc: Mazin Enwiya/R5/USEPA/US)
Subject: Ellsworth drinking water hookups

The revised version of the federal consent order sent out to the PRPs for signature and the USEPA's responses to the comments and questions it received on the draft settlement document are now posted on USEPA's website. Thank you for forwarding your questions and concerns about the settlement document.